

New Mexico Judiciary

2013 Annual Report



State law (§ 34-9-3 NMSA 1978) requires the Director of the Administrative Office of the Courts to submit an annual report and statistical report to the Supreme Court and the Legislature by January 30 of each year. The reports can be found online at NMCourts.gov.

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*On the cover:
The new McKinley County Courthouse in Gallup, NM
Photo by Steve Sullivan*

2/25/2014

A Message from Chief Justice Petra Jimenez Maes



Chief Justice
Petra Jimenez Maes

On behalf of my colleagues on the Supreme Court and the entire New Mexico Judiciary, I am pleased to present our 2013 Annual Report. During the last year, with the support and cooperation of our sister branches of government, we have seen modest but steady growth in our base budgets. This has allowed us to begin to recover from the consequences of the stringent cost-cutting measures necessary during the recession.

Courts, no longer concerned with their ability to keep their doors open, have turned their attention to innovative methods of meeting the needs of pro se litigants, providing language access to those with limited English proficiency, and increasing the benefits associated with our drug courts. None of this would have been possible however, without our dedicated and committed employees. Last year, we were finally able to reward our employees with a well-earned 2.5% pay increase in addition to the 1% increase provided by the Legislature.

Now it is time to turn our attention to New Mexico's judges. Economists have made it clear that a strong judiciary is crucial to building and maintaining a strong economy. And judges are crucial to a strong judiciary. We must be able to keep the well qualified and dedicated judges that we have, as well as attract new judges committed to public service. This has, however, become increasingly difficult.

A 2013 national study revealed that New Mexico's district court judges are ranked last in pay for general jurisdiction trial judges. Additionally, actuarial reports demonstrate that both the district and the magistrate judges' retirement plans are headed towards insolvency. And finally, workload and caseload data indicate that we need more judges to meet the needs of the public and the increasing demands of the job. All of this makes even our most dedicated judges question their ability to stay on the bench.

During the legislative session, we will ask the Legislature and the Governor to:

- authorize a 5% pay increase for New Mexico's judges,
- take steps to address the solvency of judicial retirement plans,
- and authorize five new judgeships.

Working together I know we can continue to meet our charge to provide justice to all those who appear before us.

Finally, it has been an honor to serve as the Judiciary's Chief Justice these past two years. A new chief will be elected in April, 2014.

Sincerely,

A handwritten signature in dark ink, appearing to read "Petra Jimenez Maes". The signature is fluid and cursive, written in a professional style.

Petra Jimenez Maes

A Message from AOC Director Arthur W. Pepin



AOC Director
Arthur W. Pepin

The Annual Report for 2013 demonstrates the continuing dedication of New Mexico judges and employees. Magistrate and district courts have made the transition to the Odyssey case management system and civil cases are electronically filed in district courts. The integration of the Bernalillo County Metropolitan Court and the appellate courts into Odyssey is underway. Thanks to persistence and hard work by the Judiciary, the goal of a fully integrated statewide system of court records is within sight.

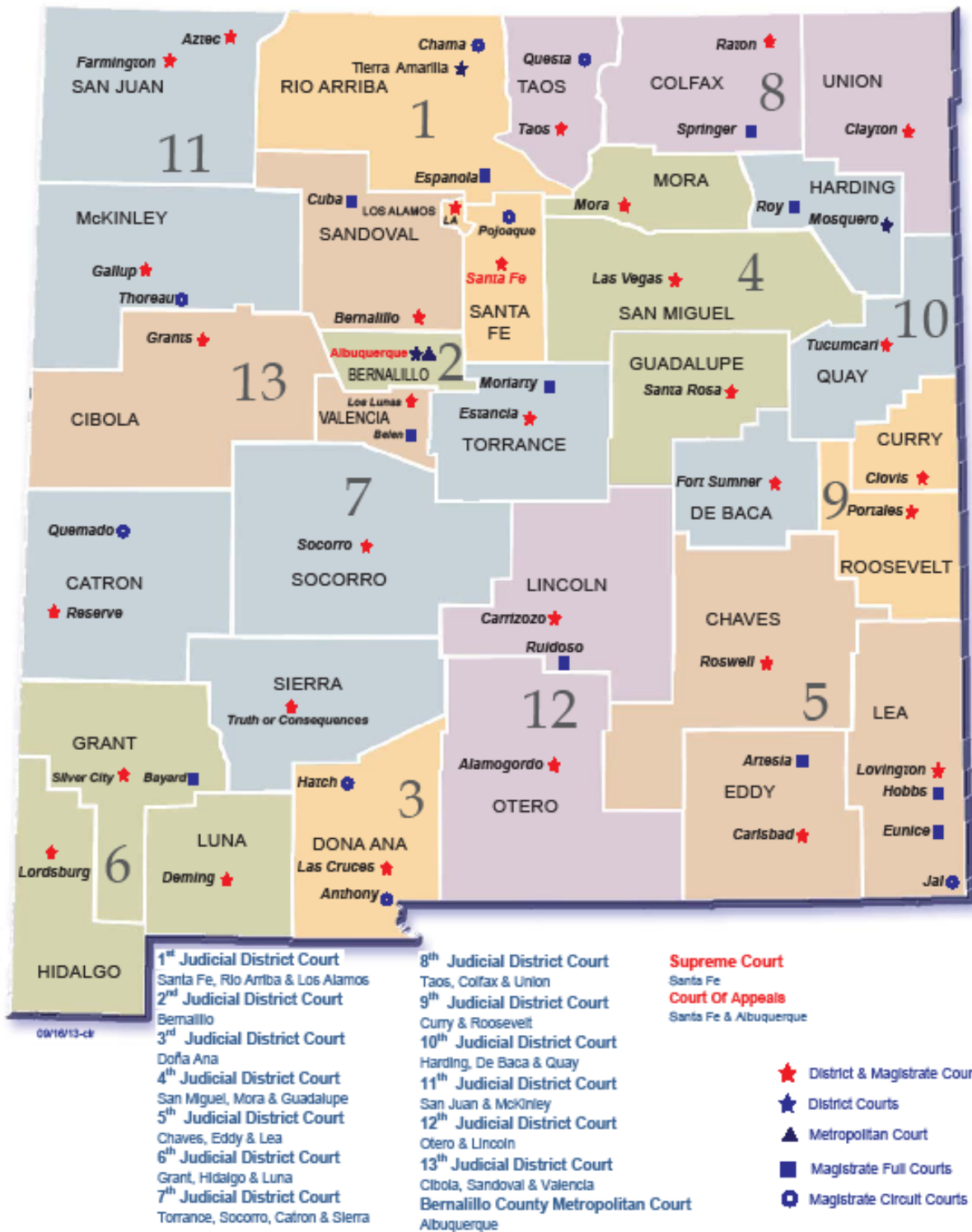
A limited workload study snapshot of several district and magistrate courts, funded with a grant from the State Justice Institute, indicates that the transition to Odyssey along with electronic filing and electronic document management have resulted in a more efficient and effective workforce and work flow. In part to recognize the dedication of employees to the training and restructuring required by the transformation to new electronic processes, the Supreme Court approved increases in compensation for employees. As did all state government employees, court employees received the 1% compensation increase approved and funded by the Legislature. The Judicial Branch also provided an additional increase of 2.5% for all employees and as much as 4% for magistrate court employees. The Legislature did not fund these additional increases. State employees in the executive branch did not receive these increases. Judges did not receive the additional increased compensation but did fully support this effort. Courts had to dedicate to employees funds realized through savings resulting from staff vacancies or from realignment of other funds. This extraordinary initiative reflects the recognition and respect given by the Supreme Court and all courts to the dedicated employees of the judiciary.

A significant area in which the courts continued in 2013 to embrace efforts to improve the delivery of justice is through language access for those with limited English proficiency (LEP). Through the New Mexico Center for Language Access, those interested in becoming certified court interpreters in the courtroom can receive training and preparation for the certification test. The NMCLA also provides a way for court employees to obtain training and certification as Language Access Specialists serving LEP individuals. These employees improve access to justice outside the courtroom by interacting with the public at the clerks' windows, over the phone, and in other non-courtroom settings. In 2013 the Judiciary became the full-time home of the NMCLA, ensuring that courts and court employees will continue to have access to the exceptional resources it provides.

Courts will continue to aggressively confront the many challenges ahead. Initiatives now underway look to improve access for self-represented litigants, provide the ability to safely and securely make electronic payments of court obligations, enhance the exchange of information within courts and with agencies outside the courts, and give judges and court employees the tools needed to provide justice efficiently and effectively throughout New Mexico. Practical constraints exist, especially sufficient funding and personnel. Experience shows that the judges and employees of New Mexico's courts will work through those challenges. A review of this Annual Report provides some measure of the great success with which courts deliver on the promise of justice.

A stylized, handwritten signature in black ink, appearing to read 'Arthur W. Pepin'.

NEW MEXICO STATE COURTS



New Mexico Supreme Court

FY 2013 was a year of change for the Supreme Court as Senior Justice Patricio M. Serna retired after almost 16 years on the Court. And after the November 2012 general election, Hon. Barbara J. Vigil was sworn in on December 7, 2012 to fill the seat previously held by Justice Serna. Prior to joining the Court, Justice Vigil served as the Chief Judge for the First Judicial District Court. In its ongoing efforts to become more efficient and provide enhanced services, the Court also adopt-

ed a new rulemaking procedure in FY 2013 that will make it easier for the bench, bar, and public to participate in the process and stay apprised of new rulemaking activity. Chief Justice Petra Jimenez Maes and her fellow justices are continuing their public outreach efforts and are working to educate public policy decision-makers about the need to fully fund and support New Mexico courts.



Standing, l-r: Justice Charles W. Daniels and Justice Barbara J. Vigil.

Seated, l-r: Justice Richard C. Bosson, Chief Justice Petra Jimenez Maes, and Justice Edward L. Chavez.

Supreme Court Building Commission

Renovations to the historic Supreme Court building continued in FY 2013 with the completion of a much needed roof replacement involving 20 separate roofs. The Commission also received additional capital outlay funding to complete critical improvements to the flooring and railing in the Supreme Court Law Library which are needed to preserve the integrity of the building and to protect the safety of all who use the historic building.

The Commission also continues to seek additional funding for a long overdue re-stucco of the entire building. Once these repairs and renovations are complete, the historic Supreme Court building will be well positioned to continue serving as the primary site for the state's appellate courts and as a source of pride and history as one of the premier public buildings in the State of New Mexico.

New Mexico Compilation Commission

The New Mexico Compilation Commission (NMCC) is a self-sustaining enterprise agency that serves as the official legal publisher of the State of New Mexico. NMSA 1978, Sections 12-1-1 to 12-1-14, 8-5-6 to 8-5-14 and 34-4-2, set forth the powers and duties of the NMCC. The NMCC is required to maintain and copyright, in the name of the State of New Mexico, an integrated online database of official laws pursuant to NMSA 1978, Section 12-1-3. This database is exclusive to the State of New Mexico and is not licensed to any entity. NMCC produces, publishes, sells, and distributes the official state law publications and online services to the public and private sectors. The NMCC funds itself largely through product sales and a percentage of civil action filing fees.

The cornerstone of the NMCC's services is a complex set of duties that typically fall to global commercial providers. These services include compiling the statutes, formatting and proofreading court opinions, performing editorial services using uniquely qualified staff and contractors, updating databases daily, maintaining customer accounts, shipping and receiving, billing, and collecting revenue all while competing with commercial providers.

By owning and controlling its copyrighted database of laws, the State of New Mexico controls the quality and publishing schedule of the publications and online services. Through these controls, it also retains ownership of pricing decisions to ensure affordable official laws are available to each citizen and that the public has free access to the entire body of statutory and case law. Furthermore, publishing, sales and marketing, financial, and administrative jobs are retained in the state. The major accomplishments of the NMCC in FY 2013 are:

- ◆ Development of iPad and smartphone access for NMONESOURCE.COM released in December 2012;
- ◆ Development of the enhanced free public access site for the citizens of New Mexico including iPad and smartphone access released in August 2012 and December 2012, respectively; and
- ◆ Creation of the first uniform body of New Mexico case law with vendor-neutral citations and corresponding paragraph numbers in two formats: word-searchable on NMONESOURCE.COM and in table form on NMCOMPCOMM.US to provide citizens retrievable access for the first time to the complete body of case law.

The challenges facing the NMCC are the increases in publishing costs while revenue declined for the second year in a row. There is a significant loss in civil action filing fees due to the decrease in civil actions filed. There is strained subscription revenue stemming from the economy overall and the increase in self-represented litigants who elect to file civil actions and appear in court without legal counsel. Lawyers are forced to make difficult decisions to postpone subscribing to the official laws in favor of the limited, unannotated laws on the public access site.

Supreme Court Law Library

In FY 2013, the Supreme Court Law Library continued a reorganization project brought about by the significant budget reductions during the recession that occurred between FY 2008 and FY 2011. This reorganization was complicated by the death of one senior librarian and the unexpected retirement of another during FY 2013. Nevertheless, the library continued implementing the following strategies:

- ◆ Increased digitization of books and other printed materials, allowing for the creation of digital archives of New Mexico's legal materials and assistance to the Supreme Court in the digitization of the Court's historical records;
- ◆ The use of aggressive acquisition strategies to tailor the library's collection to the Judiciary and the library's most frequent users, resulting in substantial cost savings;
- ◆ A renewed focus on outreach to potential patrons in need of legal information. This focus resulted in the creation of an outreach librarian position that the library filled in early FY 2014, as well as increased joint projects with the Access to Justice Commission and New Mexico Legal Aid.

The library will continue to meet the legal information needs of patrons, answering reference questions from all New Mexicans, including judges, attorneys, legislators, and the public at large.



Standing: Judge M. Monica Zamora, Judge Linda M. Vanzi, Judge Michael E. Vigil, Judge Timothy L. Garcia, and Judge J. Miles Hanisee.

Seated: Judge Jonathan B. Sutin, Judge James J. Wechsler, Chief Judge Roderick T. Kennedy, Judge Michael D. Bustamante, and Judge Cynthia A. Fry.

New Mexico Court of Appeals

The Court worked diligently in FY 2013 to dispose of its cases in a timely and efficient manner. In FY 2013 the number of both criminal and civil case filings decreased slightly. 734 new cases were filed (271 criminal cases and 463 civil cases) and the Court disposed of 827 cases, achieving a 113% disposition rate.

The Court has been quite successful at promptly submitting its higher priority cases (interlocutory appeals; abuse, neglect, and termination of parental rights appeals; criminal and workers' compensation appeals) within a few months after briefing is completed. Currently, the oldest civil and criminal cases waiting to be submitted are around five to six months old.

The Court continues to experiment with innovative methods for processing cases to dispose of them as fairly and expeditiously as possible. The Court is working diligently to reduce the time from submission to opinion by reviewing cases pending in each judge's chambers at the judges' monthly meetings. Over half of the Court's cases are disposed of on the summary calendar.

The Court has been working to fill positions that have remained vacant over the past several years for budgetary reasons. The Court has been able to reduce its vacant positions to two. The Court believes this will enable it to remain current on dispositions.

First Judicial District: Los Alamos, Rio Arriba, and Santa Fe Counties

The new Steve Herrera Judicial Complex in Santa Fe was completed in the Spring of 2013. Judges and staff relocated to the new facility in early June. The move was completed over three business days to minimize disruptions to the public.

Adult Drug Court

The First Judicial District Adult Drug Court program is in its 16th year working with felony-level offenders in Santa Fe, Rio Arriba and Los Alamos Counties. Since many of these high risk/high need offenders have exhausted all community based services, Adult Drug Court is often the only other option besides prison. Adult Drug Court is a nine-month intensive supervision program that offers group and individual counseling, psychiatric services, medication assisted treatment, random urinalysis testing and weekly court hearings.

Adult Treatment Court Program

The First Judicial District Treatment Court program is in its eighth year working with felony-level offenders who have co-occurring disorders. Treatment Court is a one-year program that offers individual counseling, psychiatric services/medication monitoring, random urinalysis testing and weekly court hearings to evaluate client progress. Treatment Court clients are taught skills to manage their mental health illness in a positive manner thereby reducing future involvement with the criminal justice system.

Pre-Trial Services

Pre-Trial Services was started in 2009 as collaboration with a community-based mental health agency, Life Link, and the First Judicial District Court. It was designed to provide services to those defendants who remained in jail after arraignment because of either substance abuse or mental health issues due to a lack of community services available to address those problems. The funding lapsed in 2010, but the Pre-Trial Services program continued to provide supervision to 20 to 25 participants. Pre-Trial Services has grown considerably over the past year, and is currently providing services to more than 50 clients.

Juvenile Drug Court

The Juvenile Drug Courts currently operate in both Santa Fe and Rio Arriba Counties. The mission of the Juvenile Drug Court programs is to stop the abuse of alcohol and other drugs in the life of pre-adult individuals. The program and staff is committed to helping

individuals in need overcome the use of alcohol and other drugs, teach clients how to lead a drug and alcohol free lifestyle and help build better relationships with family and the community.

Clerk's Office

During the past year, the Court began to cross-train all clerks to perform every function in the clerk's office in order to create a more versatile work environment. The cross-training of clerk's office staff has been very beneficial, as the division continues to be understaffed. Although there has been a slight decrease of customer intake at the clerks' windows with the implementation of electronic filing, the clerk's office still serves an average of 130 customers per day.

During fiscal year 2013, the court processed 10,674 new and reopened cases within Santa Fe, Rio Arriba and Los Alamos counties. In addition, an average of 1,748 new and subsequent electronic filings within civil and probate case types per week were processed and 10,555 documents submitted via e-mail by attorneys were electronically issued. Approximately 10,960 filings in all other case types were received and processed. The Division continues to staff an office in Tierra Amarilla on a daily basis and staffs a satellite office in Los Alamos once a week. In addition, a member of the clerk's office is required to process documents for criminal and children's court dockets in the courtroom two to three days a week.

Family Court Services

Family Court Services (FCS) continued its pursuit of clinical excellence on behalf of families and the Court in 2013. The emphasis this year was on staff training and expanding the scope of clinical tools and resources. The division looks forward to continued refinement of the clinical approach to cases, with the objective of reducing co-parenting conflict and improving outcomes for children experiencing parental divorce and separation.

Jury Management Division

The Jury Management Division continued to improve and add processes to enhance its efficiency. The division strives to make the jury service component of the legal system user-friendly for jurors, prospective jurors, litigants, and the legal community. The division regularly sends follow-up letters to prospective jurors who have not returned their juror questionnaires and

qualification forms by the deadlines specified in summonses. This measure has greatly increased juror participation and decreased the numbers of individuals who fail to bring in their forms until the day of jury selection, thereby allowing Division staff to address more issues in advance of jury selection and make the actual selection process run more smoothly.

Relocation to the new courthouse required the division to address additional parking issues for jurors. The division worked closely with representatives of the City

of Santa Fe to address parking and shuttle service issues for these individuals, and drafted explicit, easy-to-read parking and shuttle service instructions that are printed on the back of maps to inform people of their parking and shuttle service options. These instructions are included with the summons and have been made available on the Court's website as well. A survey was devised to allow jurors to provide information regarding their experience with parking and shuttle service. Information derived from the survey is utilized to improve parking services for jurors.

Second Judicial District: Bernalillo County

The Second Judicial District Court continued to make efficiency gains in caseflow management as 50,570 cases were filed in FY 2013. The Court completed the consolidation of the Self Help Division with the Court Alternatives Program to create the Center for Dispute Resolution. The consolidation brought more combined employee-power to assist pro se litigants seeking information about resolving their own Family Court disputes and has also enhanced the mandatory arbitration program for small civil cases.

Additionally, since the Court moved to a total electronic record, the "commerce" of electronic documents has been unleashed. The streamlining of document interactions to and from private attorneys and our very large criminal justice partners such as the District Attorney and Public Defender has produced efficiencies that have reduced the need for additional employees. One example is that all court orders that commit defendants to time in the corrections system are sent electronically. This action has reduced the time spent preparing hard copy documents by hundreds of hours while also providing an additional benefit of a very

clear audit trail. The Court has also initiated e-filing of documents with the Child Support Enforcement Division, a development that should save taxpayer funding for both agencies.

The Court has initiated activity in two areas that should support individualized justice needs well into the future. First, the Court is actively working to resolve disputes concerning foreclosure actions. Volunteer attorneys provide free clinics monthly to counsel clients on their best options. Additionally, the Court is mandating early intervention activity with creditor banks so as to foster early negotiations with clients. Second, the Court is initiating the Elder Court to recognize that demographic changes in our society are creating large numbers of at-risk elders and dependent adults. The Elder Court will monitor cases wherein citizens who are the subject of guardianships and conservatorships can be provided all the services available from the community and be protected from unscrupulous activities. Finally, the Court has again earned a clean financial audit — a remarkable achievement in light of a \$26.2 million dollar budget.

Third Judicial District: Doña Ana County

The Third Judicial District Court is the second largest district court and the third largest trial court in the State. The Court comprises eight district judges, one child support hearing officer, and one part-time contract domestic violence special commissioner.

The Court's divisions are specialized according to case type. Three judges hear primarily criminal matters, one of whom also presides over Children's Court. Three judges are assigned primarily to general civil matters and the two remaining judges split the domestic rela-

tions caseload including domestic violence. One of these judges also hears all mental health cases.

The Court operates four Treatment Courts. These are two Adult Drug Courts, a Juvenile Drug Court, and a Family Reunification Court.

The Court accepts a total of approximately 13,000 new and reopened cases each year. This number has been steady since about 2009.

Fourth Judicial District: San Miguel, Mora, and Guadalupe Counties

The Fourth Judicial District Court continues to fulfill its obligations under the Constitutions of New Mexico and the United States, as well as state and federal law to provide equal access to justice in a timely and efficient manner.

The Fourth Judicial District Court has met or exceeded all performance measures outlined in House Bill 2.

In FY 2013, the Fourth Judicial District Court maintained and provided all essential court services. The adult and juvenile drug court programs continue to thrive. The

clerk's office is proud of the e-filing service provided to counsel and their staff.

The Court offers individual training and has also provided in-office training at local attorneys' offices in order to facilitate a smooth e-filing process.

The Court fields calls and has clerks on staff who can offer hands-on support to attorneys who file in our court. Our rejection rate is minimal and the Court continues to offer assistance to minimize e-filing errors by filers.

Fifth Judicial District: Chaves, Eddy and Lea Counties

The Fifth Judicial District is situated in the southeast corner of the state encompassing Lea, Chaves, and Eddy Counties. The district continues a population explosion due in large part to multiple available jobs in the oil and gas, uranium enrichment, potash, gaming, ranching, farming, higher education, hospitality, prison and many other industries.

The last census shows the population in Lea County at 66,338, Chaves County at 66,041, and Eddy County at 54,419. The total population of the district (186,798) is about nine percent of the state's total and is projected to continue future growth.

In FY 2013, the Fifth Judicial District continued to work diligently disposing of cases and in particular jury trials. There are four district judges in Chaves County and three each in Lea and Eddy counties, giving the Fifth Judicial District a total of ten judges. There is a part-time domestic violence hearing officer in each county and a part-time juvenile hearing officer in Lea County. The district has no child support hearing officers, staff attorneys, law clerks, or judges pro tem.

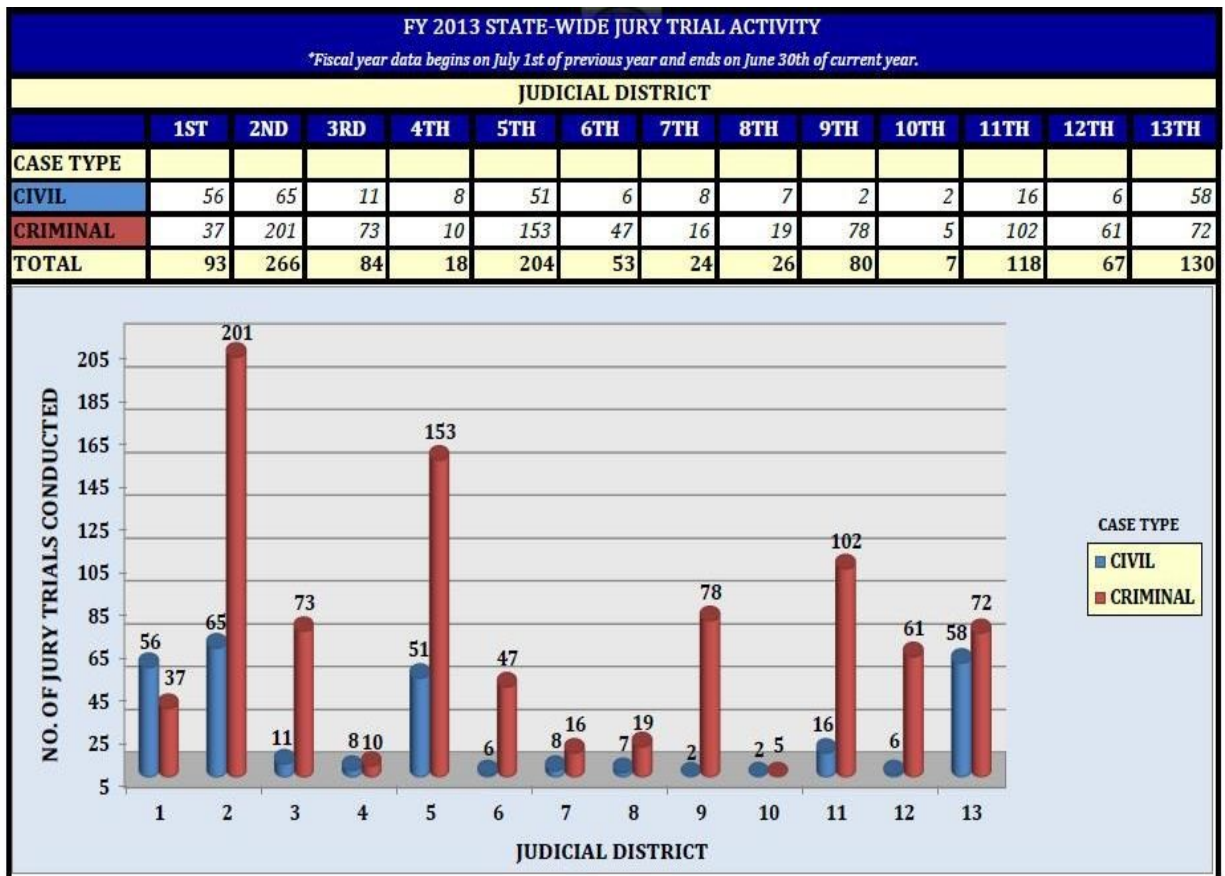
The FY 2012 Annual Report released by the Administrative Office of the Courts indicated that the Fifth Judicial District held more criminal bench trials and juvenile jury trials than any other district and was second in the state for conducting criminal jury trials. Judges in the Fifth Judicial District had more criminal jury trials than any other district in the state and worked aggressively

to process all other types of civil, domestic, abuse and neglect, and probate cases.

The judges' daily workloads continued to rise in FY 2013. Because of the large increase in population and new and reopened cases, Lea County is in the process of selecting a site to build a new judicial complex. It is anticipated that the Lea County facility will have six courtrooms to accommodate the projected future growth in Lea County. Lea County participated in a pilot project known as "instant sentencing" which creates the judgment and sentence order in the courtroom immediately after the sentence is announced and avoids paperwork delays. Each county also participated in Truancy Courts in conjunction with local school districts.

Juvenile Drug Courts in Chaves and Eddy Counties and a Family Drug Court in Lea County continue to provide intensive beneficial alternatives to incarceration for those seeking recovery from addictions. Each county provided pro bono services to many citizens through programs providing free legal services to those who could not afford an attorney.

Judge Richard Brown retired in the fiscal year and the district mourned the loss of Judge Ralph Shamas. Judge Ray Romero and Judge James Hudson were welcomed to the bench in Eddy and Chaves Counties. The Honorable William Shoobridge was elected Chief Judge on May 1, 2013.



Sixth Judicial District: Grant, Hidalgo and Luna Counties

The Sixth Judicial District Court is comprised of three counties: Grant, Hidalgo, and Luna, which border Mexico on the South, and Arizona on the west with Silver City, Lordsburg, and Deming as the cities with the largest populations in the tri-county area.

The Honorable J. C. Robinson became the Chief Judge in November 2012. Chief Judge Robinson replaced the Honorable H. R. Quintero who was the Chief Judge from July 2007 through November 2012.

The first female Sixth Judicial District Court Judge, Jennifer E. DeLaney, was elected into her position for Division II in the November 2012 general election and replaced the Governor's appointee, Jarod K. Hofacket, who served as the District Judge for Division II from July 5 through December 21, 2012. Judge DeLaney took office on January 1, 2013.

The staff of the Sixth Judicial District continues to work diligently, despite staff shortages in two of the

three counties, and continues to ensure the business in each county is conducted accurately and on a timely basis. The Sixth Judicial District Court continues to provide access to justice, promptly resolve disputes, and maintain accurate records of the legal proceedings which affect rights and legal status in order to independently protect the rights and liberties pursuant to the Constitutions of New Mexico and the United States of America.

The Sixth Judicial District Court's internal mission is to continue to supply justice to the community. As a result, the district operates to its full potential by providing customer service within normal daily and weekly business hours in all three counties. The Sixth Judicial District assures the Legislature that all programs are operating properly and effectively. The district maintains three intensive and successful drug court programs, which are the Luna County Juvenile Drug Court, Hidalgo County Adult Drug Court, and Grant County Adult Drug Court.

The Sixth Judicial District Court was provided a legislative appropriation in FY 2006 for Juvenile Justice Continuum of Services in all three counties. In FY 2013, as in prior years, the district engaged in contracts with local bodies of government in all three counties and through each of the local continuum boards, services were determined with the overall goal to reduce juvenile delinquency.

In December 2012, the Sixth Judicial District Court successfully transitioned to the new statewide judicial branch case management system, Odyssey. The Sixth Judicial District Court staff met all deadlines imposed by AOC, the Judicial Information Division (JID), and Tyler Technologies.

In February 2013, staff from the Sixth Judicial Dis-

trict Court participated in a mock trial for students from Sixth Street Elementary School. The mock trial was called: *State of New Mexico v. Cookie Monster*. The elementary students participated as the prosecuting attorney, defense attorney, witnesses, bailiff, and served as the jury. Students sent a thank you note to the staff, signed and commented as follows:

“Thank you District Court!”

“We learned a lot from our visit!”

In March and April 2013, the Sixth Judicial District Court successfully transitioned to e-filing in non-sequestered civil and probate cases. Again, the Sixth Judicial District Court staff met all deadlines imposed by AOC, JID, and Tyler Technologies.

Seventh Judicial District: Catron, Sierra, Socorro, and Torrance Counties

The Seventh Judicial District Court is comprised of Catron, Sierra, Socorro, and Torrance Counties and has three district judges and one child support hearing officer. The court has three Adult Drug Court programs in Sierra, Socorro, and Torrance Counties which are capable of serving up to 50 clients. The Seventh Judicial District also has contracted Domestic Violence Special Commissioners who

are assigned to domestic violence cases. The Court has a Language Access Plan in place and also has court staff throughout the district who are certified and able to assist Spanish-speaking individuals. The judges and staff continue to work diligently to ensure equal access to justice as they conduct the business of the court accurately and efficiently.



Socorro County Courthouse



Taos County Administrative /Judicial Complex

Eighth Judicial District: Taos, Colfax, and Union Counties

The Eighth Judicial District continues to improve its service to the public and its commitment to justice. In FY 2013 the district:

- ◆ Went “live” with the Odyssey e-filing system, all employees having been fully trained in using the many benefits the system has to offer;
- ◆ Reactivated its alternative dispute resolution initiative for civil cases with the hope that many cases can be resolved in their early stages through the implementation of this initiative;
- ◆ Was actively involved in recruiting attorneys to provide pro bono services to needy individuals and in cooperation with New Mexico Legal Services, held a pro bono legal clinic on October 24, 2013 with many participating lawyers;
- ◆ Through its Drug Courts continued to provide treatment alternatives to incarceration, resulting in a continuing high rate of success and proving instrumental in reducing recidivism; and
- ◆ Kept current on docketing within 48 hours of filing of documents.



The Curry County Courthouse in the Ninth Judicial District.

Ninth Judicial District: Curry and Roosevelt Counties

In early 2013, the Ninth Judicial District converted from FACTS to Odyssey which was an enormous undertaking by the court's clerks and the fiscal departments. Soon thereafter the Court began accepting civil e-filing, which again required many hours of implementation by clerk and fiscal staff.

All court staff did an exceptional job implementing several mass reassignments of caseloads as:

- ◆ Chief Judge Teddy L. Hartley retired from Division III.
- ◆ Judge Drew D. Tatum, Division II, assumed the Chief Judgeship and moved from Roosevelt County to Curry County and was reassigned the previous Division III caseload.
- ◆ Judge Donna J. Mowrer, Division IV, moved from Curry County to Roosevelt County and was reassigned the previous Division II caseload; and
- ◆ Judge Fred T. Van Soelen was appointed to Division III and was assigned all of the caseload previously assigned to Division IV.

The Ninth Judicial District Court was designated as the pilot court for development and implementation of a pro se domestic relations mediation program by the New Mexico Supreme Court's ADR Commission. In its first year of operation, the pro se domestic relations mediation program drafted and implemented its policies and procedures, obtained high quality training, and fully implemented the program.

All pro se domestic cases are now referred to the mediation program which provides a much needed, low cost, high quality mediation option in the community.

The Ninth Judicial District hosted two — three pro se family law clinics per month in Clovis, Portales, and at Cannon AFB. The free clinics' goal is to assist unrepresented litigants in the process of obtaining a divorce or other family law matters. Without providing legal advice, the staff attorney and other court staff help attendees learn about court processes, forms, and fees. The Court also promoted Constitution Day and Law Day in local schools and hosted court tours for local school students.

The Ninth Judicial District's pro bono committee plans and coordinates an annual "Ask-a-Lawyer" event. Last October, over one hundred local residents received free legal advice in many areas of the law from more than 20 volunteer lawyers.

The Ninth Judicial District Adult Drug Court served 57 clients during the year and had seven graduations. This brings the total number of graduates to 62 since the program was implemented in late 2006. The adult drug program performed 2,044 drug tests of which 95% were negative. At a cost per day of \$41.69, our Drug Court WORKS and is almost half the local cost of incarceration.

Tenth Judicial District: Harding, De Baca, and Quay Counties

The Tenth Judicial District Court continues its mission to supply justice to the community in a timely manner.

The Court continues to process and close cases at a high level and meets or exceeds performance measures. With the new technology of e-filing and Odyssey, the Court has perfected both new programs and assisted other courts as needed.

The clerk's office is moving towards paperless files and has reworked its existing file storage and old indexes to open up and maintain a better working area.

With existing funds the Court contracted a local architect to help with the planning stages of securing the clerk's office, managing space, and adding a public access area.

The Tenth Judicial District is still experiencing a demand in travel for the district's one judge and court administrator. Although this demand is mandatory, it has not affected the core functions of the court.

Eleventh Judicial District: San Juan and McKinley Counties

The Eleventh Judicial District Court saw courtrooms remodeled in Aztec this year, making them safer for the judges and court employees.

An Adult Drug Court committee was developed and implemented in April 2013. A job skills group and family intervention and preservation group were added to the Adult Drug Court program curriculum. Adult Drug Court in San Juan County experienced a growth in the number of enrolled clients from 78 in FY 2012 to 199 in FY 2013. The Adult Treatment Court weekly staffing was implemented this year for adult treatment court participants. Clinical guidelines were improved to increase the services and care provided to Adult Treatment Court clients. To improve the level of supervision of pre-trial services clients, all clients (whether they have drug-related charges or not) are being tested regularly as part of their pre-trial services conditions.

The Eleventh Judicial District pro bono committee in McKinley County held its third legal fair, with 12 volunteer attorneys providing legal services to 88 low-income residents. The court staff in Farmington, local attorneys, and other volunteers held their second annual legal fair in October 2012, where 167 citizens were given free legal advice and guidance. The event continues to provide a much needed service to the community. The court staff in Gallup, local attorneys, and other volunteers held their third annual legal fair at the McKinley County Courthouse where over 98 individuals were given legal advice and guidance. It was an extremely successful event.

The Eleventh Judicial District Court celebrated two new traditions on May 31, 2013. The San Juan County Bar Association honored three longtime local lawyers by installing their photographs and biographies on the Wall of Honor at the courthouse in Aztec. The first annual art show also took place on this date, hosting work submitted by 66 local area artists showing their paintings until the end of July 2013. The art show was inspired by the mural and paintings showcased in the historic courthouse in Gallup, along with the determination of Chief Judge John A. Dean, Jr.

We successfully implemented and transitioned to the new case management system, Odyssey. One month after going live with Odyssey, we welcomed electronic filing for all civil and probate cases. There have been

many challenges, such as the re-learning and re-training of court staff, especially the clerks, and additional IT needs. However, all of the long hours, dedication and positive attitudes resulted in a sense of major accomplishment by everyone involved. The judges, staff and attorneys did an excellent job of adapting to the new and exciting technology. We no longer create paper files for the new civil and probate cases.

The McKinley County Juvenile Drug Court provided services to 13 clients during FY 2013. Of those clients, six successfully completed the program. The Juvenile Drug Court staff was trained to provide high school life skills classes and parenting classes. Those classes were provided to clients and their families in FY 2013.

In San Juan County, juvenile court programs include Grade Court and Juvenile Drug Court. Grade Court is an education-based program for adjudicated youth who are not currently enrolled in school or have any grade less than a "C" on their last report card. The Grade Court probation officer/advocate works with clients and their families to encourage them to take an interest in their own education. Grade Court clients see the judge monthly for a court review. During the court review, clients are rewarded when they have made academic progress, when they show extra effort by complying with all program rules, or when they are released from house arrest. They are given sanctions for not turning in their weekly progress report, getting suspended from school, or being truant. Each Grade Court graduate is rewarded by the San Juan College Foundation with tuition assistance upon completion. In 2013, degrees and certificates were awarded to Grade Court graduates who attended San Juan College in the following studies: Respiratory Therapy, Automotive Technology, Diesel Mechanics, Pre-Med, Fire Science, Fundamentals of Petroleum Production, Police Science, and Legal Assistant.

The Juvenile Drug Court is one of 15 juvenile specialty courts in New Mexico. It uses the 16 key strategies developed by the U.S. Department of Justice. The multi-disciplinary team provides intensive outpatient treatment with a judicial component. The court probation officer works intensely with each client and family to ensure progress through the four phases of the program. The program counselors use individual, group, family, and multi-family group counseling along

with experiential learning, art therapy, equine therapy, traditional Native American therapies and ceremonies including substance abuse recovery. All Juvenile Drug Court clients are expected to complete the Grade Court

program while in drug court or shortly after graduation in order to receive a shortened probation sentence.

Twelfth Judicial District: Otero and Lincoln Counties

The Twelfth Judicial District Court serves Otero and Lincoln Counties with courthouses in Alamogordo and Carrizozo. Three judges preside in Alamogordo and one judge presides in Carrizozo. All judges are general jurisdiction and are assigned cases in both counties as needed. The Court has a full-time domestic relations hearing officer that hears domestic violence, child support, child custody, and other domestic relations matters in both counties. Last year the district had 4,823 new and reopened cases which is a 16% increase since 2000. Notable facts about the district include:

The Twelfth Judicial District covers over 11,000 square miles and has over 86,000 residents. It is estimated that that over 3.5 million people visit the district every year. The district is home to:

- ◆ Mescalero Apache Indian Reservation
- ◆ Holloman Air Force Base
- ◆ White Sands Missile Range
- ◆ New Mexico Museum of Space History
- ◆ NM School for the Blind & Visually Impaired
- ◆ New Mexico State University – Alamogordo
- ◆ Eastern New Mexico University – Ruidoso
- ◆ U.S. Border Patrol
- ◆ White Sands National Monument
- ◆ Natl. Solar Observatory
- ◆ Lincoln National Forest
- ◆ Ski Apache
- ◆ Ruidoso Downs

*Otero County
Courthouse*



The District Court offers several programs including a self-help center, mediation, an Adult Drug Court in Otero County, a Juvenile Drug Court in Lincoln County, a newly formed Adult Drug Court in Lincoln County, newly formed Pre-Trial Services Program in Otero County, and a Court Appointed Special Advocates (CASA) program. The Court is operating in Odyssey, working with e-filing, has redesigned its website, and provides extensive information in both English and Spanish, and will be adding public access terminals.

The Lincoln County Courthouse is undergoing an expansion and renovation project. Over 6,000 square feet of space is being added for a new courtroom, a new clerk's office, and other offices and meeting rooms.

While the district courts as a whole are approximately 1.3% behind from FY 2009 funding levels, the Twelfth Judicial District is 5.7% behind and has a higher than average vacancy rate. The district's priorities are to reduce the vacancy rate and fill positions, adequately fund existing position benefits, and continue to provide enhanced services and meet the district's changing needs.



Photo by Geoff Nims

Thirteenth Judicial District Court: Cibola, Sandoval, and Valencia Counties

The Thirteenth is a diverse judicial district consisting of Cibola, Sandoval and Valencia Counties. Fifteen years ago the district was considered rural. Today the district is the second most populous judicial district in New Mexico. Within its geographic boundaries covering 9,714 square miles, the district contains the third largest city in the state (Rio Rancho) and is home to ten pueblos, four Navajo Chapters and a portion of the Jicarilla Apache reservation. The district has seven judges and 75.5 FTEs. In FY 2013, 10,000 new cases were filed district-wide.

One of the highest priorities of the district is ensuring access to justice, particularly for self-represented litigants. For the past seven years, the district has held a free monthly legal clinic in each of its three counties, serving over 7,400 self-represented litigants in that period. For the last five years, the district has held monthly self-represented litigant divorce and parentage dockets in each of its three counties, resolving over 1,500 cases in that period. The district has seven Treatment Courts, the most in any district, including one of the oldest established Juvenile Drug Courts. In FY 2013, the district's total Treatment Court graduation numbers were the highest in New Mexico.

The district is frequently asked to pilot projects for the Judiciary. This year the district began a remarkable

project involving abuse and neglect cases. Called the Family Representation Program, this pilot utilizes a court-employed Licensed Master Social Worker and social work interns to work with the attorney representing the parent to effectively support, understand and guide the parent to referral services (e.g., counseling, child care, job training, housing, education, etc.) that provide for rehabilitation of the parent and swift reunification of the family. These services help the parents' attorneys by giving them more time to prepare a viable defense for their clients. The family representation model seeks to decrease time in foster care for the children in the abuse or neglect case, prevent re-entries into foster care, and reunify families as expediently as possible, shortening the time spent in the judicial system.

The Thirteenth also piloted an interpreter scheduling clearinghouse project. The success of this pilot has led AOC to go statewide with the interpreter scheduling clearinghouse procedures very soon. Further, the Sandoval and Cibola Courts collaborated with their respective county officials this past year on design projects for future courthouse remodeling and expansion. Lastly, all three courts in the district are now "paper on demand" courts, the culmination of fully integrating the technology of electronic documents and e-filing.

Bernalillo County Metropolitan Court

Bernalillo County Metropolitan Court is a court of limited jurisdiction and a special “court of record,” handling misdemeanor cases, felony first appearances, and civil cases where the amount of the dispute does not exceed \$10,000. Metro Court has 19 Judges (16 in Criminal Division, three in Civil Division) who are all required to be attorneys and who must have practiced law for a minimum of three years. Metro judges share on-duty after-hour felony warrant rotations and volunteer thousands of hours in specialized programs, in addition to large daily courtroom dockets.

Metro Court has 341 full-time professional employees who work in a dozen divisions of the state’s busiest court. For FY 2013, new case filings averaged 5,569 per judge, for a total of 105,804 cases. In FY 2013 judges conducted 8,480 criminal bench trials and 6,729 civil bench trials, and initialized 378 jury panels for a 13% increase from FY 2012. In FY 2013 the Civil Division closed 14,388 cases, and the Criminal Division closed 79,654 cases. Additionally, 3,500 - 4,000 members of the public enter its doors daily.

Metro Court administrators oversee and manage over 300 staff and all case management, financial, legal, security, and facility functions for both the courthouse and parking structures totaling approximately 600,000 square feet. Background investigators analyze/report criminal background checks, facilitate off-hours ROR releases of thousands of inmates, accept bonds 24/7 for Metro and District Courts, appear at daily court hearings, conduct bond investigations and begin case file initiation at the Metropolitan Detention Center.

The Case Management Division ensures the accuracy and integrity of all case files and the timely movement of over 100,000 files in our nine-story courthouse annually. This division includes clerks in customer support, specialized criminal floor teams, case preparation, and courtroom support.

Education Services oversees ten educational programs (such as the DWI school) serving over 10,000 defendants. Monitored compliance of community service hours performed by defendants at non-profit agencies resulted in completion of 131,782 hours, valued at \$955,420.

The Finance Division is responsible for all financial transactions. It collected \$5.3 million in fines and fees,

with \$4.5 million (85%) distributed to other government agencies and processed 19,269 bonds totaling \$62.2 million. The Human Resources division recruits hires, trains, and advises a diverse professional staff and administers employee benefits, employee relations, and payroll for 341 employees. Three full-time court interpreters handled 8,000 Spanish language cases in 19 courtrooms. Staff coordinated interpreters for 352 cases in 37 languages other than Spanish and in 126 sign-language cases. The Mediation Division conducted over 600 civil case mediations, with a 77% resolution rate.

The Information Technology Division supports the Court’s innovative 30-year-old case management system while transitioning into a new case management system (Odyssey). It also manages an array of internal applications for court daily functions, such as traffic arraignments, browse docket, officer check-in, jury management, and community service.

As an alternative to jail, probation officers monitor 1,300 defendants each month in regular supervision and 1,600 defendants in an enhanced first offender program. Officers also supervise pre-trial defendants on conditions of release and ignition interlock orders. Officers manage eight specialty courts:

- DWI/Drug Court – 216 new enrollments and 146 graduates for FY 2013 (2,703 graduations since 1997)
- Mental Health Court – 125 new enrollments and 124 graduates
- Homeless Court – 90 new defendants with 44 graduates, resolving 100 cases
- Domestic Violence Early Intervention Program - 280 clients and 277 graduates
- Domestic Violence Repeat Offender Program - 15 clients and 12 graduates
- Competency Review - 598 cases, referred resulting in 311 forensic evaluations being conducted
- Courts-to-School Program – Conducted 18 DWI sentencing hearings at six local high schools.

The Metro Court’s Self-Help Center provided information to 14,000 members of the public by assisting with details of court processes, pro se forms, procedural pamphlets, and referrals to community and legal service providers.

Administrative Office of the Courts

The Administrative Office of the Courts (AOC) consists of four divisions: Administration, Court Services, Magistrate Courts, and Judicial Information. The mission of the AOC is to support the work of magistrate, metropolitan, district, and appellate courts. Through statewide programs, technical assistance, legislative efforts, and coordination of activities, the AOC exists to ensure the courts have the resources needed to deliver the highest quality of court services to everyone who interacts with the judicial system.

The Administration Division includes the Director, Deputy Director, General Counsel, and support staff. The Administration Division oversees legislative efforts, supports budget initiatives, interacts with agencies in the executive and legislative branches as well as county and municipal governments, and works directly for the Supreme Court to support administration of all state courts.

The Administration Division distributes program resources statewide as well as providing central support from the Fiscal Division and the Human Resources Division. In addition, the Director and central staff of the Magistrate Court Division, including the Warrant Enforcement Unit and the Internal Auditor Unit, are also part of AOC administration, but oversee diverse operations in magistrate courts throughout the state that comprise an entirely separate program and budget.

Fiscal Services Division

The mission of the Fiscal Services Division (FSD) is to ensure accurate and timely accounting and financial reporting within all judicial entities in order to maintain a high standard of financial accountability. FSD strives to be recognized and respected as one of the most ethical and responsible financial services divisions in New Mexico state government.

In 2013, FSD continued to enhance the skill set of internal staff, judicial entity Chief Financial Officers (CFO) and other court financial personnel by conducting internal training. FSD conducted a CFO training with key court financial personnel to enhance the financial skills needed to manage the new judiciary case management system, Odyssey. FSD also continues to facilitate communication with AOC management and program managers. This communication is intended to enhance workflow processes and internal controls to ensure timely and accurate payments to employees and exter-

nal vendors. External auditors gave the AOC an unqualified (clean) opinion of its financial statements in FY 2013. The AOC was appropriated \$42,443,500 in General Funds and reverted \$64,537. This translates into a 0.15% reversion factor and demonstrates that AOC requests for resources are needed and adequately monitored.

Human Resources Division

The Human Resources Division provides statewide training and develops tools for courts to manage budgets and personnel. Services include statewide employee recruitment, employee relations, workforce planning, pay for performance programs, and salary adjustments.

In 2013, the Human Resources Division developed a new supervisor training program that provides a tool for managers to support and supervise court employees and effectively apply the New Mexico Judicial Branch Personnel Rules.

The Human Resources Division welcomes applications from qualified candidates for positions posted on the NMCourts.gov website.

Magistrate Courts

The magistrate courts are state courts of limited jurisdiction over misdemeanor and traffic charges and civil matters involving less than a certain amount of money. There is at least one magistrate court in each county, with a few counties having more than one court location. The judges are elected within the county, and serve four-year terms. There are 66 magistrate judgeship positions statewide.

The Magistrate Division of the AOC includes a Director, Deputy Director, Facilities Manager, Warrant Enforcement Manager, and Magistrate Mediation Manager in its central staff, as well as hundreds of dedicated, hard-working court managers, court clerks, financial specialists and others in the field.

Some remarkable achievements have taken place in the prior year. First, the warrant enforcement central staff implemented several innovative compliance systems and methods, supported several magistrate courts through difficult staffing shortages, and moved judicial compliance systems further along toward national best practice standards. This has resulted in the program, central and field staff included, meeting daunting reve-

nue forecasts and becoming an example for other states' programs.

Second, the facilities program saw the opening of the McKinley County Justice Complex (featured on the cover), which includes a state-of-the-art magistrate court befitting the importance of the dispensation of justice. The Facilities Director has found ways, in spite of a limited capital budget, to also begin adding desperately needed courtroom space in Aztec and security measures in Deming, while keeping the other courthouses running well. Some other substantial magistrate court projects that are in various stages of development include courts in Roosevelt, Lea, and Mora Counties.

Third, the division has this year added a Magistrate Mediation Manager. The incumbent is making substantial progress toward creating completely new programs in Curry and Doña Ana Counties where none previously existed.

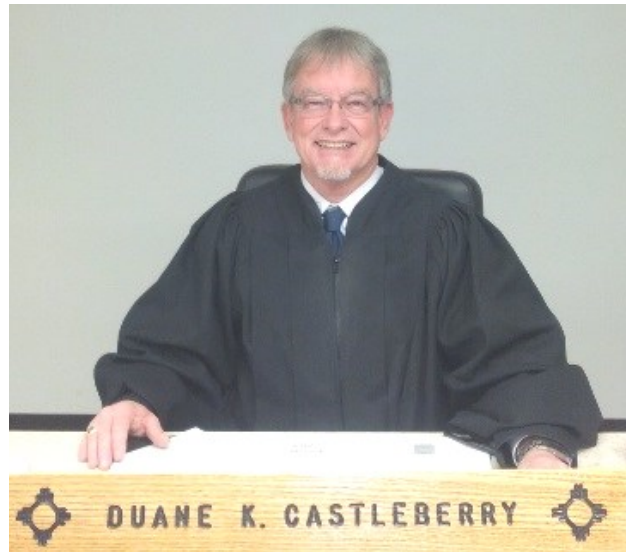
The Director and Deputy Director continue to simplify and standardize magistrate procedures where appropriate so that justice is dispensed as consistently as possible

statewide. They have tirelessly taken on more and more direct training of staff and magistrate judges in both the basics and more targeted, advanced training.

The Director, with the help and support of the Judicial Information Division, continues to guide the courts through changes made necessary by the advent of the Odyssey system by developing standardized forms and data entry protocols. The Deputy Director developed a comprehensive criminal procedure handbook for judges and clerks, which should be finalized and in use statewide in the first months of 2014.

Field staff has contributed immensely to core improvements in the magistrate system as well. Our high-achieving court managers have learned to exploit the advantages of the Odyssey system, teaching us in the process how to make all our courts run more efficiently and economically. Other court managers have led courts through very difficult improvement efforts. We must also recognize the daily commitment and hard work of the magistrate clerks and judges who timely and fairly process the tens of thousands of cases filed in their courts.

Magistrate Judges Association



The Hon. Duane K. Castleberry presides over the Curry County Magistrate Court in Clovis. The Hon. Karen P. Mitchell presides over the Harding County Magistrate Court in Roy. Judge Mitchell's term as President of the Magistrate Judges Association ended in 2013. Judge Castleberry was elected President of the Magistrate Judges Association in September.

Access To Justice

Established by Order of the New Mexico Supreme Court entered May 28, 2004, the New Mexico Commission on Access to Justice (ATJ) is an independent, statewide body dedicated to expanding resources for civil legal assistance to New Mexicans living in poverty, increasing public awareness through communication and message development, encouraging more pro bono work by attorneys, and improving training and technology. The Commission develops methods to provide access to the courts for low-income persons with basic civil legal needs in areas such as family law, domestic violence, housing, consumer, employment, government benefits and other non-criminal legal matters.

The Commission operates through working groups composed of commissioners and interested parties. The Pro Bono/Communications Working Group supports the efforts of the statewide pro bono coordinators (joint staff of the NM State Bar and NM Legal Aid) in organizing pro bono efforts throughout the state through local ATJ pro bono committees.

In 2012 (2013 statistics are not yet available), 647 volunteer attorneys (up from 557 in 2011) participated in pro bono activities across the state serving 24,635 individuals (up from 12,652 in 2011). Highlights include legal fairs, a week long spring break program with law students, pro se clinics and direct representation. Additionally, the Pro Bono/Communications Working Group addresses the external communication needs of the Access to Justice Commission including continuing legal education seminars and press releases.

The mission of the System Planning Working Group (SPWG) is to oversee the creation, implementation and ongoing development of a state plan for the provision of legal services to low-income New Mexicans that:

- ◆ Ensures appropriate services are available for all low-income people with legal needs, expands access to justice, and reduces barriers;
- ◆ Establishes a minimum threshold for services;
- ◆ Acts as a guide for the allocation of limited state and private financial resources; and
- ◆ Provides proper accountability through coordination, evaluation, and oversight.

The 2013 state plan for the provision of legal aid to low-income New Mexicans (an update of the 2007

plan) was approved by the Commission in May 2013 and adopted by the Supreme Court. This working group has also completed a statewide needs assessment of the legal needs of low-income New Mexicans through a contract with UNM's Institute for Social Research. The findings of this assessment will be incorporated to finalize the 2013 state plan. The state plan also guides the awards of consolidated civil legal service funds (attorney donations and monies raised through court rules) to providers through the Court's approval of recommendations of the ATJ grant committee. Requests for funding are staggering compared to available funds. For FY 2014, the committee evaluated applications requesting over one million dollars to distribute less than half a million in funds.



The Legislation and Rules Working Group continued its efforts to expand the availability of low cost legal services by amending rules to clarify and facilitate the process for providing unbundled legal services through limited entries of appearance. This group developed rule amendments to encourage and permit the use of residual funds from class action settlements to provide civil legal services to low-income individuals, as well as mandatory procedures that increase civil legal service funds. This group also coordinated the development of new standardized forms for use by self-represented litigants (SRLs) in contested domestic relations proceedings, which were approved by the Court and became effective May 31, 2013. These forms are currently being automated for public use through the Self-Represented Working Group which targets increased access to the courts for these litigants.

Low-income civil legal services cannot meet the SRL need in New Mexico. In recent years, legal service providers such as NM Legal Aid (NMLA) turned away

one income-eligible person for every one client they accepted. By 2012, two were turned away for every one accepted due to budget cuts. In 2014, NMLA faces further steep budget cuts due to federal sequestration. SRL problems are magnified for non-English speaking litigants. The SRL working group also developed court staff training on obligations and methods to deliver procedural legal information without giving legal advice. Current efforts seek to maximize delivery of self-help services through centralized web access to legal information with ongoing development of automated forms that will integrate with the current statewide case management system, including e-filing.

The mission of the Technology Working Group is to identify and recommend effective uses of technology to enhance the delivery of legal services through the adoption of appropriate and flexible new technological initiatives in service delivery methods, rural access to services, entry and intake, collaboration among providers, self-represented parties and pro bono services, and professional development.

This working group is collaborating to implement an American Bar Association grant to fund the development of a unified statewide new client access and triage system that includes a diagnostic tool to predict the success potential for client self-representation or self-advocacy and to increase efficiency and maximize the impact of the limited resources available. Some clients are able to represent themselves effectively if given the proper support and tools; others need to have an attorney represent them. This system will be available and, ideally, utilized by all legal service providers for low-income people in the state.

Alternative Dispute Resolution

On August 1, 2011, the Supreme Court established the Statewide Alternative Dispute Resolution (ADR) Commission. In its second year, the Statewide ADR Commission made new inroads into supporting court-connected ADR. These activities included:

- The publication of draft rules for court-connected ADR programs;
- Supported and mentored the Ninth Judicial District in its development of a model domestic relations mediation program for self-represented litigants;
- Drafted a brochure template for courts to customize as a component of their marketing and educational

efforts with litigants and initiated a discussion for developing a video or CD-based educational tool for litigants;

- Held a two-day training session in Las Cruces for magistrate court personnel from different courts, so they can develop and implement mediation programs in their courts; and

- Continued the mediation scholarship program funded by the Judicial Education Center and awarded seven scholarships to court personnel from different regions of the state to attend the University of New Mexico School of Law's basic and family mediation courses.

The National Center for State Courts (NCSC) identified "key strategies to save time and money" through realizing the potential of ADR in New Mexico to strengthen the administration of justice during changing and challenging times. The Commission is dedicated to building upon the recommendations of the NCSC report to support and advance court-connected ADR programs and to assist the development of new and innovative programs.

Children's Court Mediation Program

AOC has partnered with the Children, Youth and Families Department (CYFD) to mediate child abuse and neglect cases since 2000. Abuse and neglect mediation exists in all judicial districts and CYFD county offices.

The Children's Court Mediation Program (CCMP) offers mediation services in twelve judicial districts (2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th) and provides support for the First Judicial District's in-house program. In FY 2013, CCMP received 710 mediation referrals.

Two new Regional Coordinators were hired to manage Regions 2 (3rd, 5th, 6th, and 12th Districts) and 3 (4th, 8th, 9th, and 10th Districts). Each of them met with judges, court personnel, CYFD staff, and Court Appointed Special Advocates (CASA) in their regions to get to know the professionals who refer and attend mediations and to determine the need for abuse/neglect mediations in their districts.

Both Regional Coordinators have made successful transitions to their positions, continue to participate in professional meetings both regionally and statewide, and work closely with the district courts and CYFD county offices to maintain consistency and quality of mediation services.

Three projects were initiated and completed. The Regional Coordinators produced a coordinator handbook detailing the policies and procedures for effective coordination of regional mediation programs. Secondly, the program received a New Mexico Children's Justice Act Advisory Group (CJAAG) grant to produce an educational brochure for professionals who participate in mediation.

The purpose of the brochure is to help participants understand the benefits of mediation for themselves and their clients as well as how to maximize participation in the mediation sessions. Finally, we contracted with an outside trainer to develop new participant training. CCMP has provided participant training for all professional participants within each county. Participant training is an introduction to abuse/neglect mediation, includes suggestions on how to prepare for participating in mediation, and clearly explains the referral process.

In May 2013, the program had to cancel as many as 19 scheduled mediations due to lack of funds, and an additional 23 cases were moved to July 2013. In FY 2014, CCMP will be researching possible new funding sources and exploring options for using other funds to cover needed mediations.



Court Appointed Special Advocates (CASA)

Court Appointed Special Advocates (CASA) are dedicated, specially-trained volunteers whose sole focus is to speak up for the needs, the hopes, and the best interest of each child in a foster care legal case. In Fiscal Year 2013, 703 CASA volunteers were supervised by CASA program staff out of offices in 21 communities throughout our state.

CASA volunteers are appointed directly by district court judges to abuse and neglect cases. In their role, these CASA volunteers interact with the children and with those children's families, teachers, therapists, social workers, attorneys, and anyone connected to the child and that foster case. CASA gives each case – each child – the individualized attention that is so vital for making sure that child ends up in a safe home. Among their many duties, CASA volunteers gather information about children and the cases in which they are involved, learning in detail the relevant facts and interviewing all of the parties concerned. They monitor compliance with each case plan; maintain records of both current and historic information; formulate objective, informed recommendations and prepare written reports to the judge presiding over each case. These Court Appoint-

ed Special Advocates serve as the eyes and ears of the Court and bring judges and other case decision-makers the information needed to make the best possible decisions for the children.

In Fiscal Year 2013, 2,116 children in foster care were assigned to local CASA programs. The staff of each local CASA program matches each child or sibling group with a trained CASA volunteer as soon as possible and then supports, guides, and supervises that volunteer throughout the life of that case. CASA volunteers were assigned to foster cases in 12 of New Mexico's 13 Judicial Districts, and in FY13 these volunteers focused their attention and their advocacy work on 1,559 children in foster care. On any given day New Mexico's 16 local CASA programs recruit, train, supervise and provide over 500 committed, community volunteers to work in support of abused and neglected children.

In the words of one professional within the child welfare system, "The power of CASA is that a CASA volunteer has the ability to push the system to pay attention to the unique needs of each, individual child."

Court Improvement Project

The Court Improvement Project (CIP) is an initiative to improve judicial proceedings related to child abuse and neglect, foster care, and adoption.

Since 1995, the activities of the CIP have been directed by a Supreme Court appointed commission and accomplished by its working committees. Participants in the CIP include the Children, Youth, and Families Department and numerous other agencies and organizations. The CIP works to improve the permanency, safety, and well being of children and youth in state custody.

The 2013 Children's Law Institute (CLI) marked its 20th year and attracted over 950 registrants from multiple disciplines from around the state. The evaluation of the conference produced favorable results. The next CLI will be conducted on January 15-17, 2014 in Albuquerque. Information about this conference can be found online at www.childrenslawinstitute.org.

The Legal Representation Workgroup completed a survey of perceptions of quality of representation, completed a survey of opinions and experiences with extra court hearings and status reviews, completed observations of quality of court hearings, implemented a social worker model pilot and evaluation in Sandoval County which assigns a social work intern to abuse and neglect cases, and held a parent representation summit to discuss improvements in practice. Work will be done to develop practice document/recommendations for improved outcomes as it relates to continuous quality improvement.

In December 2012, the New Mexico Supreme Court issued an order establishing the Joint Education Task Force (the Task Force). The task force, co-chaired by Chief Justice Petra Jimenez Maes and Governor Susana Martinez, was charged with providing the Court with collaborative advice, recommendations, and proposed strategies for addressing the educational needs of high risk children and youth children, particularly children and youth in the state's custody.

Data collected under a three-agency memorandum of understanding signed in August 2013 will provide some outcome measures and the start of data sharing. A "records request letter" was created to follow the Uniform Scholar's Act of 2013. The letter is designed to provide information to schools about the professionals in a child's case and to provide continuity in sending/receiving educational records. The appointed education-

al decision maker is indicated whether it is the parent or the court has identified a different decision maker.

The CIP Training Project conducted the core training for judges and attorneys. The curriculum, *Child Abuse and Neglect: Essential Information for Practicing & Presiding in Child Welfare Cases*, continues to allow for ample discussion and participation. There were also regional cross-training sessions held related to trauma. CIP converted their booklets from English to Spanish and have Best Practice Bulletins on a number of topics available. These can be accessed through the CIP Website:

www.nmcourts.com/CourtImprovement/index.html

Domestic Violence, Sexual Assault & Stalking

Since late FY 2010, the Administrative Office of the Courts has been awarded a federal Violence Against Women Act (VAWA) grant through the New Mexico Crime Victims Reparation Commission. The primary goal of the VAWA grant is "enhancing the Administrative Office of the Courts' capability to address domestic violence, sexual assault, stalking, and dating violence issues by having a staff attorney position dedicated to this subject matter." Some of the goals of the FY 2013 grant are to:

- ◆ Maintain and support a part-time staff attorney position to serve as the statewide point-of-contact for domestic violence, sexual assault, dating violence and stalking;
- ◆ Improve communication within courts and other key stakeholders on issues dealing with domestic violence, sexual assault, dating violence, and stalking.
- ◆ Create and maintain an advisory team to support the efforts of the staff attorney;
- ◆ Visit local areas throughout New Mexico to support and enhance local court-related collaborations.
- ◆ Support ongoing court efforts for addressing language access issues, focusing specifically on domestic violence, sexual assault, dating violence, and stalking;
- ◆ Improve coordination between tribal and state courts on issues of domestic violence, sexual assault, dating violence, and stalking; and
- ◆ Promote best practices within the court system on domestic violence, sexual assault, dating violence, and stalking.

Adult Guardianship and Conservatorship

Adult guardianship and conservatorship cases are created through a civil court process where the court gives another person or entity the duty and power to make personal, healthcare, and financial decisions for an incapacitated adult.

In New Mexico, an adult is found to be incapacitated due to mental illness, mental deficiency, physical illness or disability, or chronic use of drugs or intoxication, to the extent that the person is unable to manage their personal and/or financial affairs. A guardian is appointed by a court to make personal and health care decisions for the incapacitated person.

A conservator is appointed by a court to manage the property and/or financial affairs of an incapacitated person. Since an incapacitated person can lose significant individual rights and self-determination, it is extremely vital that those appointed to serve in the role of either a guardian or conservator be monitored and held accountable by the court.

According to the U.S. Census Bureau, the number of people older than 65 will more than double between 2000 and 2050 and the population over age 85 will quadruple. Nationwide, state courts have been struggling to develop best practices in helping to manage these unique cases.



Since adult guardianship and conservatorship cases deal with incapacitated adults, it is of paramount importance that these cases are easily identified and monitored by the courts for compliance with court orders and the submittal of annual reports. Although a new case management system has been implemented statewide, most courts have not realized the full potential this technology provides.



The AOC hired a part-time staff attorney in FY 2013 to focus on adult guardianship and conservatorship cases. The role of this new position will be to look at systemic and organizational changes that can help the courts manage adult guardianship and conservatorship cases. A primary focus of the attorney will be to work alongside with AOC's Judicial Information Division to maximize data in the statewide court management system.

Having access to accurate data in these cases will provide judges with information that can be extremely useful to monitoring the court-appointed guardian and/or conservator. Another primary focus for the part-time attorney will be to develop best practices for both monitoring and educating court-appointed guardians and conservators. These tools will provide the courts with additional resources to help manage adult guardianship and conservatorship cases.

"According to the U.S. Census Bureau, the number of people older than 65 will more than double between 2000 and 2050 and the population over age 85 will quadruple."

Judicial Performance Evaluation Program

The charge of New Mexico's Judicial Performance Evaluation Commission (JPEC) is not only to help improve the overall quality of judges in the state, but also to inform voters as they decide whether or not to retain sitting judges at election time. In 2013 JPEC completed its study to determine the overall awareness and understanding of the judicial retention system among New Mexico's potential voters. We conducted this study through an on-line survey and focus groups.

Activities included surveying attorneys and potential voters broken down by age, gender, and ethnicity. In an ongoing effort to improve the program, JPEC will focus on identifying 2014 strategies for educating and informing voters about the Commission, its recommendations, and the importance of voting in judicial retention races.

With approximately 113 judges running in the 2014 retention election, JPEC is busy doing its final evaluations of appellate, district, and metropolitan court judges. JPEC uses an objective standard by which to make the overall recommendations to voters, but they report ALL of their findings in their narratives. The Commission includes both the positive and negatives results they receive from the users of the courts, including high ratings, mixed ratings, generally positive ratings or low ratings. They also include whether a judge has expressed a desire to improve in any areas in which he or she received low ratings.

At least 45 days before the 2014 retention election, JPEC will release its 2014 retention recommendations of retain or do not retain to the voters. To learn more about the work of JPEC, visit www.nmjpec.org.

Jury Services

In FY 2013, the trial courts sent over 155,000 jury summonses to New Mexicans. Some courts may have as little as one jury trial a year, while others have many each day. No matter the number, jurors are always available and ready to serve in New Mexico's trial courts.



The Committee for the Improvement of Jury Service in New Mexico is a standing Supreme Court committee that continues to focus on making the juror experience as positive and comfortable for jurors every step of the way. Areas in which the trial courts may become more efficient and effective in selecting jurors are being considered by the committee, such as identifying new technology, looking at jury orientation, and providing support and training to jury court personnel.

The committee also created three working groups to focus on Judicial Education, Policy Development, and Public Outreach/Juror Education to help improve jury duty further:

Judicial Education: To ensure that judges and court staff are familiar with contemporary principles of jury management and provide adequate information to implement current best practices, as appropriate, in their courts.

Policy Development: Identify and submit recommendations to the Supreme Court regarding new or revised policies that will improve the jury service experience for New Mexico jurors and ensure efficient and cost effective jury management.

Public Outreach and Juror Education: Increase the public understanding of jury service and its goodwill toward the juror experience.

Please visit www.nmcourts.gov/jury to learn more information about the new and exciting activities going on with jury service.

Language Access Services

Language Access Advisory Committee

The committee took several significant actions over the past year:

- ◆ Revised certification criteria and continuing education requirements for signed language interpreters working in the courts;
- ◆ Approved changes to the Interpreter Certification and Testing procedures to raise the qualification level for languages without national standardized examinations, and requiring additional training prior to re-testing for candidates who fail to pass the initial standardized oral examination;
- ◆ Instituted mandatory post-certification training and observation requirements for newly certified interpreters;
- ◆ Called for mandatory training on interpreting for jurors to be required of all interpreters prior to providing language access services for limited or non-English speaking jurors to be implemented in early 2014;
- ◆ Initiated the NM Judicial Translation Project;
- ◆ Developed and recommended a process and criteria for qualifying interpreters to provide language access for court-ordered services; and
- ◆ Proposed revisions to the cancellation policy and guarantees for interpreters.

New Mexico Center for Language Access

Effective July 1, 2013, the New Mexico Center for Language Access (NMCLA) became a program of the Administrative Office of the Courts. Created as a collaborative effort between the AOC and the University of New Mexico – Los Alamos in 2009, NMCLA had been operated by the University since July 2010. NMCLA fills a significant role in the New Mexico Judiciary's language access services, as evidenced below, and has a national presence through its collaboration with the National Center for State Courts and the Language Access Advisory Committee of the Conference of State Court Administrators. NMCLA's core programs include:

Justice System Interpreter Program

Sixteen candidates are currently enrolled in this 26-week intensive training program in preparation for court interpreter certification, which includes a six-week internship. Individuals who successfully complete the program, but fall short of court certification, may be qualified to work at an entry level on certain types of court proceedings.

Language Access Specialist Certification

New Mexico is the first state court system to implement training and certification of bilingual court employees to ensure that meaningful language access is provided outside the courtroom. Over the past year 14 state court and 11 municipal court employees have achieved certification as language access specialists. The program received the STC UNM Innovative Award in 2012.

Professional Development

Developed and provided collaboratively with the National Center for State Courts, courses for court interpreter certification candidates include: Intermediate Simultaneous Interpreting, Intermediate Consecutive Interpreting, and Intensive Interpreting Practice. Advanced Note-taking is offered for experienced court interpreters seeking professional development opportunities. Additionally, the court interpreter orientation has been modified and is now offered in an online format, making it more accessible for candidates who are unable to travel to attend face-to-face sessions. The class has received trainees from twenty states and has welcomed more than ten different languages.

State Justice Institute National Training Project

NMCLA continues its significant contribution to the State Justice Institute funded effort (see below), led by the New Mexico AOC, to develop downloadable training for state court employees across the country coupled with skills building and assessment modules specifically for courts' bilingual employees. This training is modeled after NMCLA's Language Access Specialist training.

Ensuring Language Access Outside the Courtroom: National Training Project

The New Mexico Administrative Office of the Courts, with funding from the State Justice Institute, will soon begin pilot testing the Language Access Basic Training Suite (LABT). The LABT is being developed in collaboration with the National Center for State Courts, the COSCA/CCJ Language Access Advisory Committee, and a project advisory group representing state courts of Alaska, Arizona, Colorado, Nebraska, New Jersey, North Carolina, Oregon, and Texas. The LABT is designed to inform state court employees of their various roles in ensuring language access as a key component of access to justice and to provide training for

bilingual court employees who may directly provide language access services to court customers. The LABT consists of three modules: Fundamentals, for all court employees both monolingual and bilingual; Bilingual Skills Building and Skills Assessment, targeted to bilingual court employees. The LABT will be distributed by NCSC and will be available in April, 2014. A national pilot test of the full program with participants of various languages from the advisory group states was conducted in December 2013.

New Mexico Judicial Translation Project

The goal of this project to develop recommendations to the NM Supreme Court regarding the translation of court documents and the acceptance and processing of legal documents submitted to the court in languages other than English.

Chaired by Weldon Neff, Chief Executive Officer of the Eleventh Judicial District Court, the NM Judicial Translation Project team is comprised of court administrators, staff of pro se clinics and self-help centers, staff attorneys, judges, and representatives of magistrate, metropolitan, municipal, and appellate courts, and certified translators to ensure that issues are identified in the broadest terms possible and that resulting recommendations are reasonable, fair, practical and achievable in today's economy.

The team has been meeting since April 2013 and, based on input from courts and research conducted with other states, is developing recommendations for Supreme Court consideration.

Language Access Plans

The language access plan (LAP) is a written document in which each judicial district or group of courts affirms its commitment to ensuring language access for LEP persons under Title VI and Executive Order 13166, and documents its policies, procedures and resources for service provision. One hundred percent of district and 87% of magistrate courts in New Mexico have developed and approved detailed, locally tailored language access plans. As well, in October 2012, the Supreme Court approved a statewide language access plan and report, which will be revised and updated every two years. Key accomplishments noted in the statewide plan include:

NM Judiciary Language Access Website

Launched in June, 2013, the website includes information for courts, jurors, attorneys, and the public regarding language access and the efforts of New

Mexico State Courts to ensure access for all regardless of ability to speak or read English. Relevant portions of the website have been translated into Spanish.

Public Information

In addition to signage, translation of court websites, and telephone messages in Spanish and Navajo, a series of public service announcements were recorded in English, Vietnamese, Spanish, and Navajo and distributed to radio stations across New Mexico.

Community Engagement

As part of the language access planning process, local and statewide service agencies were surveyed regarding their experience and that of their clients with the New Mexico state courts from the perspective of language access. This input was used to inform each court's planning process.

The AOC continued to support the Navajo Interpreter Association, which incorporated in February 2013. The NIA is currently pursuing 501(c)(3) status.

In an effort to increase the number of certified court interpreters in languages other than Spanish, AOC provides training and testing in these languages at no charge and works collaboratively with the New Mexico Asian Family Center on recruitment.

Interpreter Scheduling Management System

In March 2013 AOC began a pilot test of two web-based interpreter scheduling systems to determine the effectiveness of such an approach on reducing travel costs and guaranteed cancellation fees and reducing the amount of court staff time spent filling interpreting assignments. After a national request for proposal process, the AOC contracted with ScheduleInterpreter.com to implement a web-based scheduling system statewide.

Video Remote Interpreting

Over the past year and a half, the Judicial Information and Court Services Divisions have been researching and testing various approaches to video remote interpreting as a means of ensuring timely accessibility to interpreting services and reducing travel costs for short proceedings that require signed or spoken language interpreting services. JID is now providing leadership to this collaborative effort and pilot testing of equipment will continue as will cost/benefit analysis.

Problem-Solving Courts

The New Mexico Judiciary currently operates 43 drug and five mental health court (“Problem-Solving Court”) programs in 25 of the state’s 33 counties, with two more programs in pilot status. There are four types of drug courts, targeting different offender populations whose repeat criminal activity is driven by substance abuse.

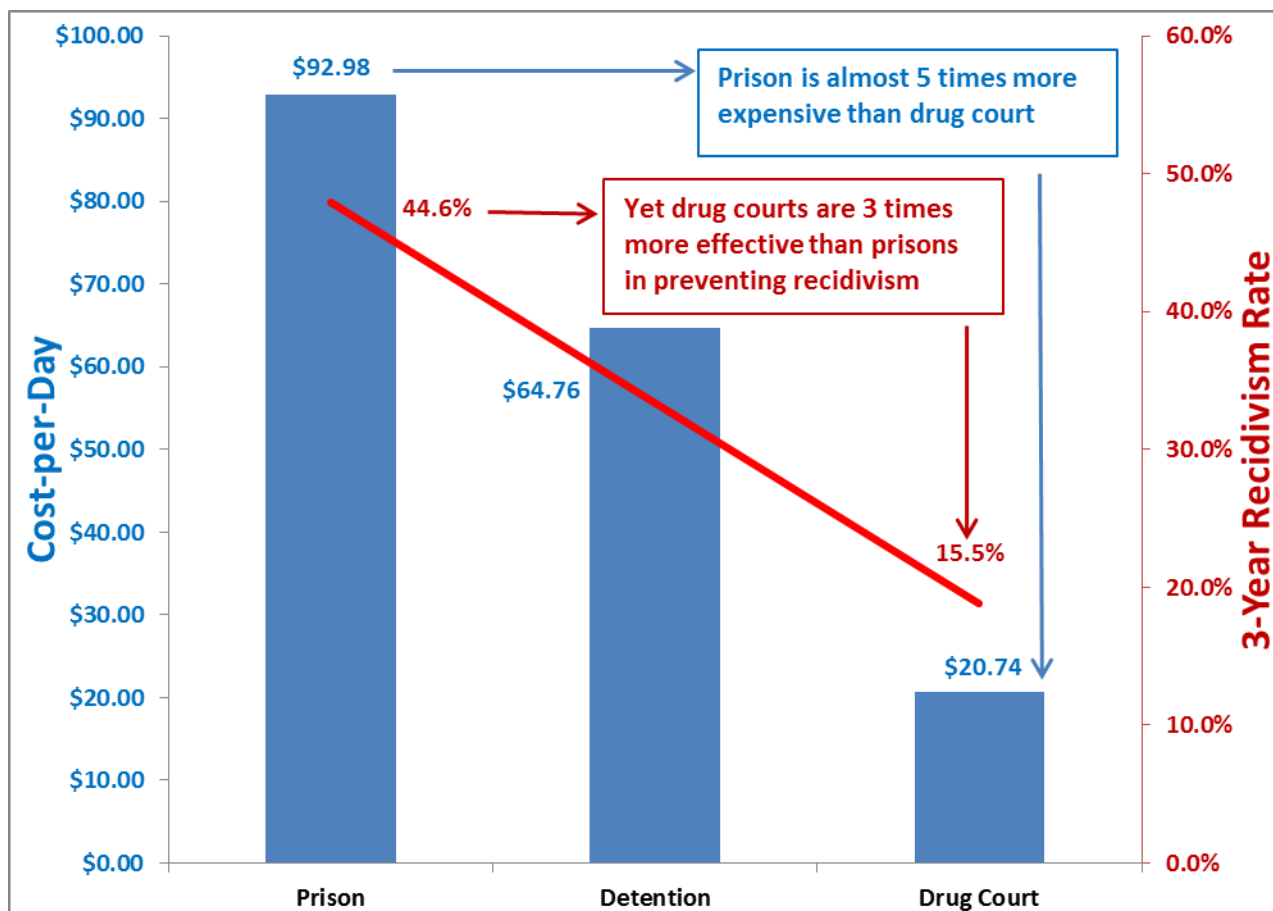
There are 17 Adult Drug Courts, which work with adult felons; 16 Juvenile Drug Courts, which focus on juveniles caught up in the criminal justice system before the age of eighteen; three Family Dependency Drug Courts, which work with parents at risk of losing custody of their children due to their addictive behavior; and seven DWI Drug Courts, operating at the Magistrate and Metro court level, working with offenders charged with a second or third DWI.

Mental health court programs differ in that the underlying cause of the criminal activity is mental health issues, not necessarily drugs or alcohol. All of these programs

follow the collaborative team-approach of the nationally celebrated drug court model, providing intensive supervision and frequent drug testing throughout the course of a year-long judicially monitored treatment program.

The loss of over \$2.5 million in general funding to the drug court programs since FY 2009 has led to a significant decrease statewide in treatment capacity as well as staff cutbacks. As the following program performance measures make clear, however, the drug court teams have continued to serve their local communities well, while providing significant cost savings to the State of New Mexico.

As of June 30, 2013, the state’s problem-solving court programs were working with over 1,000 participants, a decrease in statewide capacity of roughly 20% from four years prior. Nonetheless, in FY 2013 the programs helped 565 participants graduate at a high graduation rate of 63.2%, and at the low cost of \$20.74 per-client-



Cost of detention is calculated by the New Mexico Sentencing Commission.

per-day (compare to the cost of incarceration at \$92.98 per-inmate-per-day, or the cost of detention at \$64.76 per-detainee-per-day).

The three-year recidivism rate of the programs is a remarkably low 15.5%, which simply underscores how important these programs are to the criminal justice system. They divert nonviolent substance-dependent offenders from costly prison or jail cells into treatment and recovery, a remarkably successful process that saves taxpayers \$4,000 to \$12,000 per client in avoided criminal justice and victimization costs.

In order to recover lost treatment capacity and enhance existing programs, the Administrative Office of the Courts is asking for an increase of \$1,500,000 in general funds to its base budget for distribution to those programs where need is greatest.

This modest increase will not recover all the ground lost during the economic downturn, but it will help stabilize the state's problem-solving court programs, as they help addicts and those with debilitating mental health issues turn from tax drains into taxpayers.

Safe Exchange & Supervised Visitation

The Judiciary's Safe Exchange & Supervised Visitation program (SESV) permits children to maintain relationships with both parents, while protecting them from harm because of their parents' conflicts. The district courts refer cases of divorce, separation, custody or parentage disputes, and domestic violence to local service providers who supervise visits and exchanges between children and noncustodial parents in safe, child-friendly environments, removing children from the middle of parental disputes. Services are designed to preserve the child's best interests.

FY 2013 legislative appropriations permitted twelve SESV programs to provide services in eight judicial districts encompassing seventeen counties: Los Alamos, Rio Arriba, and Santa Fe (First Judicial District), Bernalillo (Second Judicial District), Doña Ana (Third Judicial District), Chaves, Eddy, and Lea (Fifth Judicial District), Grant, Hidalgo, and Luna (Sixth Judicial District), Curry and Roosevelt (Ninth Judicial District), San Juan (Eleventh Judicial District), and Cibola, Sandoval and Valencia (Thirteenth Judicial District). The Rio Arriba, Santa Fe, and Valencia County programs were new in FY 2013. AOC procures and manages the contracts on behalf of the courts.

The judges rely heavily on the assistance of their local program to help families in crisis practice healthy interactions and prevent further damage to the child.

Highlights of the program's performance for FY 2013 include:

- ◆ A total of 13,546 hours of visits/exchanges were delivered to 2,241 children and adults

- ◆ On average, 1,024 services were provided each month (524 visits and 497 exchanges)
- ◆ On average, 83 children and 104 adults received services each month.

To enhance the safety of children and meet the requirements of the New Mexico Court Standards for Safe Exchange & Supervised Visitation, all program staff must undergo national criminal background checks and child abuse and neglect screening by the Children, Youth & Families Department (CYFD).

In addition, the AOC provides professional development for program staff and managers, this year focusing on understanding the impact of trauma on children and early brain development, and understanding battering and collaborating with local domestic violence programs to better serve cases referred by the Courts.

The international Supervised Visitation Network (SVN) provided advanced training on documenting cases and working with the courts, the child welfare system, the impact of domestic violence on supervised visitation, and working with parents who have special needs.

The AOC also created a website for the program, seeking to address audiences including the service providers, the courts, and families involved in these cases. Service providers can also access the SESV database to make monthly reports through the website. Contact information for the service providers and locator map, the court standards, training information, and other resources are available for review.

The New Mexico Tribal-State Judicial Consortium

An advisory committee of the New Mexico Supreme Court, the Tribal-State Judicial Consortium works actively with the courts to build relationships and communications that reach across boundary lines. During FY 2013, the Consortium began to focus on three primary projects:

- ◆ Promote better understanding of the Indian Child Welfare Act (ICWA) in New Mexico;
- ◆ Educate the judges on recognizing each other's orders through full faith and credit; and
- ◆ Redesign the website to encourage relationships and improve disposition of cases crossing jurisdictions.

Regarding ICWA, the Consortium developed a judicial bench card summarizing federal and state laws, regulations, and cases. The orange, laminated card was sent to all district, appellate, and tribal courts. The Consortium also sponsored a workshop on ICWA at the annual Children's Law Institute featuring Utah Court of Appeals Judge William Thorne, an ICWA expert who addressed problems with removing children from their Indian families and heritage. Judge Thorne also met with the Consortium and discussed helping Indian children and families to obtain services necessary to preserve the family. At that meeting, Judge Thorne invited the Consortium to visit Utah to learn about State/Tribal agreements to protect Indian children. A small group visited in June, 2013 and heard many new ideas to pursue. The Consortium also began work on an educational booklet to clarify ICWA's notice and jurisdiction provisions.

On full faith and credit, the Consortium surveyed state and tribal courts, finding that both sides want training on the concepts of full faith and credit and the state's Foreign Judgments Act and its implementation. Court staff were interviewed about their experience with tribal orders, and research continues.

A major accomplishment was the new design for the Consortium's website, specifically targeting state and tribal courts. The members considered their own need for information about another court when a case is pending, and developed pages that provide the basics about each type of court and contact information. Moreover, the new website contains specific issue pages for ICWA, full faith and credit, and domestic

violence to help the reader learn more about these topics complicated by state, federal, and tribal jurisdictions and limitations.

The Consortium also promotes relationship building among state and tribal judges through the provision of tribal scholarships to attend judicial training events. Six tribal judges participated in the week-long Magistrate Judges Conference in 2012, learning more about conducting the trial. Scholarships also assisted sixteen tribal judges in attending the 2013 Judicial Conclave, where Assistant Secretary of Indian Affairs Kevin Washburn addressed "Developments in Indian Law for State and Tribal Courts," including comments on the ICWA case, *Adoptive Couple v. Baby Girl*, pending in the U.S. Supreme Court.

Invited to participate in other's conferences to explain how collaboration works in New Mexico, the Consortium presented at a workshop sponsored by the Tribal Law & Policy Institute for similar forums, and addressed a workshop of the National Tribal Justice Center at the American Indian Justice Conference on forming the group. Further, the Consortium received an award from the National Criminal Justice Association (NCJA) for its work in tribal-state collaboration, and was asked to share information about its efforts.

Consortium members also learned more about their colleagues' courts by conducting meetings in each other's locations. Hosting these events were the Bernalillo County Metropolitan Court and the Second Judicial District Children's Court, both in Albuquerque, and the Eight Northern Indian Pueblos Council near the Pueblo of Ohkay Owingeh. In addition, one meeting was held at the conclusion of the 2013 Children's Law Institute at the Hotel Albuquerque.



Judicial Information Division

The Judicial Information Division (JID) of the Administrative Office of the Courts provides a full range of information technology and technology planning services to the Judicial Branch in New Mexico. The following activities represent the highlights of JID project work during fiscal year 2013:

Odyssey Court Case Management System Project

The rollout of the Judiciary's new case management system, Odyssey, was JID's most important task for FY 2013. During the year, all state courts, except for the Bernalillo County Metropolitan Court were fully implemented on Odyssey. This completed the original scope of the Odyssey project, which began during FY 2008. Many key staff from courts throughout New Mexico and the AOC participated in the preparations and worked diligently to ensure that the implementations would be successful. For FY 2014, the AOC is on track to complete the implementation of Odyssey at the Bernalillo Metropolitan Court. Also in FY 2014, the AOC will begin the process of implementing Odyssey in the New Mexico appellate courts, which are comprised of the New Mexico Supreme Court and Court of Appeals. Upon implementation of these courts, Odyssey will be the only case management application used by all levels of state courts in New Mexico.

Electronic Filing

During FY 2013, the project to implement civil e-filing in all New Mexico district courts (courts of general jurisdiction) was completed. At this point all New Mexico district courts are receiving attorney filed, non-domestic civil cases through the Odyssey File and Serve e-filing portal. In addition, a number of New Mexico public agencies are filing court matters directly through the portal. Now that the civil e-filing project is complete, the e-filing focus will shift to projects that will allow self-represented litigants to directly file domestic relations matters through the e-filing portal using online guided forms. Once all guided forms are completed for self-represented litigants, the AOC intends to allow attorney-represented litigants to also file domestic relations matters through the e-filing portal.

Help Desk

JID provides help desk services to judicial staff and judges for the purpose of quickly resolving computer

hardware, Internet, e-mail and case management problems. JID also responds to members of the public regarding case information and statistics, and assists with problems that public users might have with the online public Case Lookup Internet site. During FY 2013, JID responded to more than 20,000 requests for assistance, and more than 3,000 of these calls were from members of the general public, private attorneys, and staff members from other state agencies.

Network Management and Support

JID provides the network infrastructure for courts and supports internet/intranet and e-mail services for all state courts. JID also supports the Judiciary's primary website, www.nmcourts.gov, and all of its many subsidiary sites. In addition, JID staff members manage and monitor the statewide judicial communications infrastructure, which operates over dedicated commercial circuits, digital microwave and DSL. This network supports all judicial data communications including video services for courts throughout the state.

Staff Support for IT Governance Council and its Subcommittees

During FY 2013, the Judicial Information Division provided staff support for the Judicial Information Systems Council and its subcommittees, which provide stakeholder-based governance for all judicial technology initiatives. These committees include the Judicial Information Systems Council, the Judges User Group, the Odyssey Steering Committee, the Odyssey Executive Committee, the Public Access Subcommittee, the Jury Application Committee, the E-Documents Committee and the E-Filing Committee.

JID staff members support these various governing bodies through creation and distribution of meeting agendas, meeting minutes, project plans, position papers, informational papers, presentations, and meeting schedules.

Video Conferencing, Video Arraignments, and Video Distance Learning

During FY 2013, the Video Arraignment Program continued to support video sites at 39 magistrate courts, 18 district courts, 11 municipal courts, 30 detention centers and five administrative offices, which are all connected through a multiple conferencing unit

(video bridge). The Video Arraignment Program continues to schedule and manage cross-county arraignments and video court appearances in collaboration with New Mexico county detention centers and state agencies such as the Department of

Corrections, the Department of Public Safety, and the Department of Health. In addition, the video program schedules and facilitates numerous video conferences and video meetings for judges and staff.

State Water Rights Adjudications

Five active water rights adjudications in the state courts continue: the San Juan adjudication covering a large watershed in northwestern New Mexico, the Lower Rio Grande adjudication, below Elephant Butte, the Pecos River Basin adjudication, spanning from Las Vegas south to Carlsbad, the Rio San Jose adjudication, occurring in midwestern New Mexico, and the Animas Underground Basin adjudication in Hidalgo County.

In the San Juan, adjudication activity has focused nearly exclusively on the basin-wide proceedings to determine the water rights of the Navajo Nation. On August 16, 2013, a court order was entered granting the settlement motion and resolving objections to the proposed rights of the Navajo Nation.

In the Lower Rio Grande, over 16,000 claimants have been joined, and substantial progress has been made in adjudicating claimants' water rights. The Court is also conducting basin-wide proceedings to resolve the interests of the United States in the Rio Grande Project.

In the Pecos, adjudication activity has focused on the Carlsbad Irrigation District, the Pecos Valley Conservancy District, and the northern Gallinas watershed area near Las Vegas.

In the Rio San Jose adjudication, proceedings to determine the water rights of the Pueblos of Acoma and Laguna are before the Court. The Animas Underground Basin adjudication in the southwestern boot-heel, a relatively small adjudication, has also commenced.

In an effort to facilitate effective case management, the New Mexico Supreme Court has designated Judge James Wechsler of the New Mexico Court of Appeals to preside over the state water rights adjudications.

At present, Judge Wechsler presides over the Lower Rio Grande, Pecos, San Juan, Rio San Jose, and Santa Fe water rights adjudications. Judge J. C. Robinson presides over the Animas Underground Basin adjudication.



The Rio Grande



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